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Reg. for  
RCE  
Cofor  
8-22-03

PTO/SB/30 (08-00)

Approved for use through 10/31/02. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

<b>Application Number</b>	10/043518
<b>Filing Date</b>	January 11, 2002
<b>First Named Inventor</b>	Moon
<b>Group Art Unit</b>	3643
<b>Examiner Name</b>	K. Rowan
<b>Attorney Docket Number</b>	62495-3USPT

This is a request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

**1. Submission required under 37 C.F.R. § 1.114**

- a.  Previously submitted
  - i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_ (Any unentered amendment(s) referred to above will be entered).
  - ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
  - iii.  Other \_\_\_\_\_
- b.  Enclosed
  - i.  Amendment/Reply
  - ii.  Affidavit(s)/Declaration(s)
  - iii.  Information Disclosure Statement (IDS)
  - iv.  Other PRELIMINARY AMENDMENT

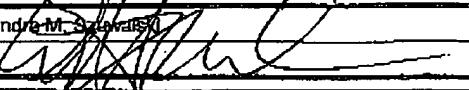
**2. Miscellaneous**

- a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b.  Other \_\_\_\_\_

**3. Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 10-0447
  - i.  RCE fee required under 37 C.F.R. § 1.17(e)
  - ii.  Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) ( \_\_\_\_\_ months)
  - iii.  Other Any deficiency in the fees
- b.  Check in the amount of \$ 657.2 is enclosed
- c.  Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Andrew M. Szwarc	Registration No. (Attorney/Agent)	35,701
Signature		Date	July 3, 2003

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence is being transmitted on \_\_\_\_\_ to Examiner \_\_\_\_\_, USPTO, in the above-identified patent application.

Name (Print/Type)	
Signature	

**Burden Hour Statement:** This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES and Completed Forms to the following address: Commissioner for Patents, Box RCE, Washington, DC 20231.

3643  
**OFFICIAL**

# Jenkens & Gilchrist

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Andre M. Szwalski  
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RECIPIENT	COMPANY	FAX NO.	PHONE NO.
Kurt C. Rowan	USPTO	703-872-9306	703-308-2321

GROUP 3600

AUG 14 2003

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FAX RECEIVED

AUG 14 2003

GROUP 3600

PLEASE DELIVER TO EXAMINER KURT ROWAN IMMEDIATELY. GROUP 3643

Re: U.S. Application Serial No. 10/043,518, filed January 11, 2002

Attached is a copy of the last communication filed with the Patent Office on July 3, 2002 which includes an RCE transmittal, preliminary amendment, check, and post card.

Please acknowledge receipt.

## • MESSAGE •

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OFFICIAL

## RECEIVED IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mailed: 07-03-03

AMS/mfb

Re: Applicant(s): Spencer, et al.  
Serial No.: 10/043,518  
Filed: January 11, 2002  
For: FISH LURING SYSTEM

Docket No.: 62495-3USPT

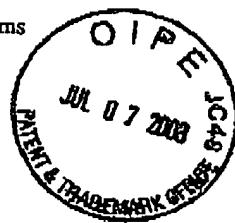
The following documents were received in the PTO on the date stamped below:

- 1) Request for Continued Examination (RCE) Transmittal
- 2) Preliminary Amendment
- 3) Check in the amount of \$657.00 for RCE filing fee and additional claims
- 4) Acknowledgment post card

FAX RECEIVED

AUG 14 2003

GROUP 3600



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*\* DOCKETED*  
Int'l. Filing Date: 7/10/03  
*RECEIVED*  
Action Date: 7/10/03

**OFFICIAL**PATENT APPLICATION  
Docket No. 62495-3USPT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Spencer, et al.

§

§

§

Serial No.: 10/043,518

§

§

§

Filed: January 11, 2002

Group No.: 3643

Examiner: Bethany L. Griles

For: FISH LURING SYSTEM

MAIL STOP RCE  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

## CERTIFICATE OF MAILING

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service as first class mail on the date indicated below and is addressed to Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Date: 08/13/03

Signature

Margo Barbarash

TRANSMITTAL LETTER

Dear Sir:

Transmitted herewith is a Request for Continued Examination (RCE) transmittal in connection with the above-identified application responsive to the Notice of Allowance and Fee Due mailed April 15, 2003.

- No additional fee is required.
- Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been established.
- Additional documents filed herewith: Preliminary Amendment, Postcard.

**PATENT APPLICATION**  
Docket No. 62495-3USPT

The Fee has been calculated as shown below.

	CLAIMS REMAINING AFTER		HIGHEST NUMBER PREVIOUSLY PAID FOR	NO. EXTRA CLAIMS	SMALL ENTITY RATE	CALCULATIONS
<b>TOTAL</b>	42*	MINUS	20**	22	9	198
<b>INDEP</b>	5*	MINUS	3***	2	42	84
MULTIPLE DEPENDENT CLAIMS					280	
TOTAL OF ABOVE CALCULATIONS =					282	
RCE FILING FEE					375	
Petition Fee under 37 C.F.R. § 1.136 ( month)					TOTAL	657

\*If the entry in Column 2 is less than the entry in Column 1 write "0" in Column 3.

\*\*If the "Highest Number Previously paid for" IN THIS SPACE is less than 20 write "20" in this space..

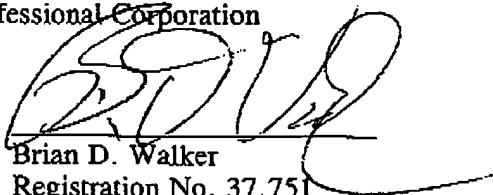
\*\*\*If the "Highest Number Previously paid for" IN THIS SPACE is less than 3 write "3" in this space.

- A check in the amount of \$657.00 is attached.
- PETITION FOR EXTENSION. A petition for a \_ month extension of time is enclosed.
- Please charge any additional Fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit Account No. 10-0447.

Respectfully submitted,

JENKENS & GILCHRIST,  
A Professional Corporation

By:



Brian D. Walker  
Registration No. 37,751

1445 Ross Avenue, Suite 3200  
Dallas, Texas 75202-2799  
Tel: 214/855-4706  
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Jenkens &amp; Gilchrist

No. 125577

DATE	INVOICE	DESCRIPTION	AMOUNT
07-03-03	62495.3SZUWALSK	RCE FILING FEE AND ADDITIONAL CLAIMS	657.00
TOTAL			657.00

THIS CHECK CONTAINS A VOID FEATURE, MICRO-PRINTED SIGNATURE LINE AND AN ARTIFICIAL WATERMARK ON BACK. HOLD UNDER BLACKLIGHT TO VERIFY AUTHENTICITY.

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07/03/03

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TWO SIGNATURES REQUIRED OVER \$40,000  
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